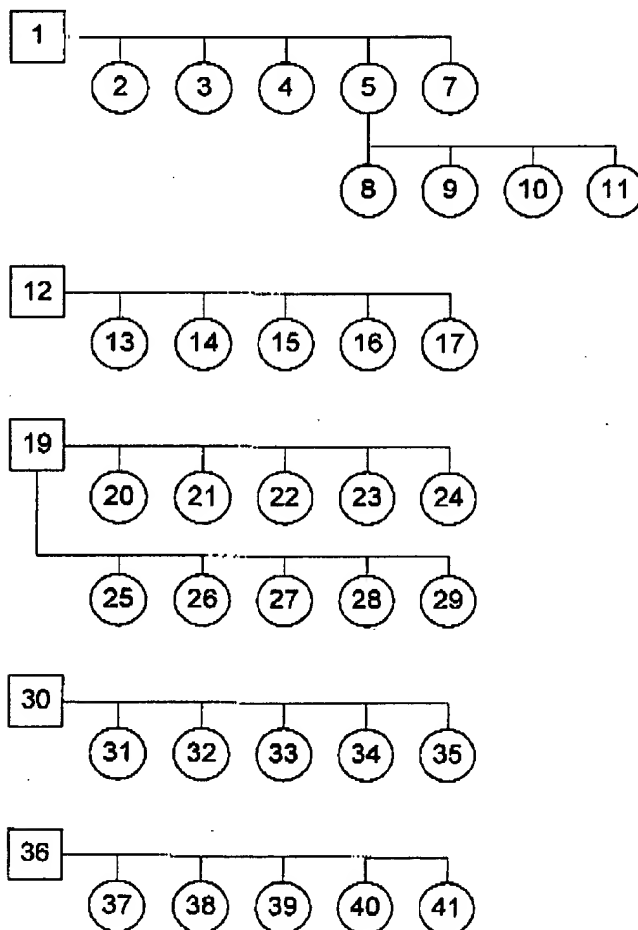


In re Application of PARKES et al.
Application No. 09/779,763

REMARKS

Reconsideration of the application is respectfully requested. An Office action mailed April 8, 2004 is pending in the application. Applicants have carefully considered the Office action and the references of record. In the Office action, informalities of claims 1, 12, 14 and 19 were objected to, claims 1, 6, and 18-19 were rejected under 35 U.S.C. § 112 and claims 1-29 were rejected under 35 U.S.C. § 103. In this response to the Office action, claims 6 and 18 have been canceled, claims 1, 7, 12, 14 and 19 have been amended, and claims 30-41 have been added. Therefore, claims 1-5, 7-17 and 19-41 are pending in the application. The following diagram depicts the relationship between the independent and dependent claims.



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Rejections Under 35 U.S.C. § 103 of the Independent Claims

Each of the independent claims 1, 12 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,583 to Reiffin (hereinafter *Reiffin*) in view of U.S. Patent No. 6,266,708 to Austvold et al. (hereinafter *Austvold*) and further in view of U.S. Patent No. 5,768,515 to Choquier et al. (hereinafter *Choquier*). The Manual of Patent Examining Procedure (M.P.E.P.) requires that, to support the rejection of a claim under 35 U.S.C. § 103(a), each claim limitation must be taught or suggested by the applied prior art.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.

(M.P.E.P. § 2143.03). Each of the independent claims 1, 12 and 19 as amended herein include at least one limitation not taught or suggested by *Reiffin*, *Austvold* or *Choquier* alone or in combination and is thus patentable for at least this reason.

In particular, each of the independent claims 1, 12 and 19 is amended herein to clarify the nature and role of the stage object in embodiments of the invention. For example, claim 12 as amended requires the step of creating an instance of a stage for each sub-task, wherein the stage comprises a holding area and a scheduling policy, as well as the step of performing the sub-task on each work packet in the holding area of the stage in accordance with the scheduling policy of the stage, thereby maintaining data locality in the cache for the sub-task.

creating an instance of a stage for each sub-task, wherein the stage comprises:

a holding area; and,

a scheduling policy;

...

performing the sub-task on each work packet in the holding area of the stage in accordance with the scheduling policy of the stage, thereby maintaining data locality in the cache for the sub-task.

(claim 12 as amended). Claims 1 and 19 include corresponding clarifying amendments with respect to the stage object. None of *Reiffin*, *Austvold* or *Choquier*, alone or in combination, teach a stage as claimed. It follows that the rejection under 35 U.S.C. § 103(a) of claims 1, 12 and 19 should be withdrawn.

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Claim Objections and Claim Rejections Under 35 U.S.C. § 112

Claims 1, 12, 14 and 19 were objected to as including informalities requiring correction. Claims 1, 6, 18 and 19 were rejected under 35 U.S.C. § 112 as including limitations with insufficient antecedent basis and/or indefinite claim language. Each of claims 1, 12, 14 and 19 is amended or further amended herein to clarify indefinite claim language, provide sufficient antecedent basis for each claim limitation and/or correct informalities as required.

Claims 6 and 18 were rejected as indefinite because "computer-readable medium claims cannot depend from a method claim." (Office action mailed April 8, 2004, page 3). Applicants disagree with this rejection. Method claims are not so limited in principle or practice. However, in the interests of expediting prosecution, claims 6 and 18 have been canceled and re-written in independent form as claims 30 and 36 respectively. Claims 30 and 36 are allowable for at least the same reasons that claims 1 and 12 are allowable.

The Remaining Dependent Claims

Each of claims 1, 12, 19, 30 and 36 is in independent form, whereas all of the remaining claims depend directly or indirectly on one of these five independent claims. The dependent claims are allowable for at least the same reasons that the five independent claims 1, 12, 19, 30 and 36 are allowable in that the dependent claims incorporate the features of the independent claims. Nevertheless, the dependent claims further define subject matter not shown or rendered obvious by the prior art of record. Because the independent claims are allowable over the applied prior art, applicants do not believe remarks addressing this further subject matter are necessary herein.

CONCLUSION

The application is considered in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue. If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

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Respectfully submitted,



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